

COMMISSION ON JUDICIAL PERFORMANCE
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FOR RELEASE
March 1, 2007

HEARING SCHEDULED IN MATTER
CONCERNING JUDGE ROBERT G. SPITZER

The Commission announced today that the hearing in this matter will resume, with oral argument before the special masters at 10:00 a.m. on Wednesday, March 28, 2007 at the courtroom of the Court of Appeal, Third Appellate District, 914 Capitol Mall, Sacramento, California. The hearing will be open to the public.

Under the rules that govern Commission proceedings, the hearing will be conducted by Special Masters appointed by the Supreme Court: Justice Fred K. Morrison, Court of Appeal, Third District; Judge Mark H. Tansil, Superior Court of Sonoma County; and Judge Mary Jo Levinger, Superior Court of Santa Clara County.

Commission Trial Counsel Andrew Blum has been designated as examiner. Judge Spitzer is represented by attorneys Reginald A. Vitek of Seltzer Caplan McMahon & Vitek, and Heather L. Rosing of Klinedinst PC, in San Diego, California.

Following completion of the hearing, the Special Masters will provide the Commission with a report containing their findings and conclusions concerning the charges against Judge Spitzer. The parties will have an opportunity to respond to the report through briefing and argument before the Commission. If the Commission determines that the charges are proved by clear and convincing evidence, it is empowered to impose discipline as provided in the California Constitution. Charges that the Commission determines are not proved will be dismissed.

The Commission is composed of three judges, two lawyers, and six public members. The Chairperson is Marshall B. Grossman, Esq., of Los Angeles.

For further information about the Commission on Judicial Performance, see the Commission's Web page at www.cjp.ca.gov.